

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

STEVE STEIN AND MARY STEIN, SP 2013-DR-030 Appl. under Sect(s). 8-917 of the Zoning Ordinance to permit modification to the limitation on the keeping of animals. Located at 1935 Fisher Ct., Falls Church, 22043, on approx. 11,984 sq. ft. of land zoned R-4. Dranesville District. Tax Map 39-2 ((19)) 2. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 12, 2013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the land.
2. The present zoning is R-4.
3. The area of the lot is 11,984 square feet.
4. This property is within 516 square feet of having three dogs allowable at 12,500 square feet.
5. Two of the animals, because they are large animals, are approaching the end of their life.
6. The applicants have one four-year-old dog.
7. The applicants have actually retained these dogs for the full ten years.
8. The applicants have three dogs.
9. The applicants have had the four-year-old dog for the last three years.
10. The applicants have indicated that when one of the two dogs passes away, the dogs will not be replaced. That is at the discretion of the applicants and homeowners.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicants only, Steve Stein and Mary Stein, and is not transferable without further action of this Board, and is only for the location indicated on the application, 1935 Fisher Court (11,984 square feet) and is not

transferable to other land.

2. The applicant shall make this special permit property available for inspection by County Officials during reasonable hours of the day.
3. This approval shall be for the applicants to retain three (3) dogs.
4. The yard used by the dogs shall be cleaned of animal debris daily and disposed of in a method approved by the Health Department.
5. At no time shall the dogs be left outdoors unattended for continuous periods of time longer than 30 minutes.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Mr. Hammack seconded the motion, which carried by a vote of 7-0.

A Copy Teste:



Kathleen A. Knoth
Clerk to the Board of Zoning Appeals